

EXHIBIT A

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TALEISHA LEWIS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 6:19-cv-00630-ADA-JCM
	§	
TITLEMAX OF TEXAS, INC., IVY	§	
FUNDING, LLC, PLATE RECON, LLC	§	
dba PLATE LOCATE, and FCAR, LLC	§	
dba FIRST CALL AUTO RECOVERY	§	
& TOWING,	§	
	§	
Defendants.	§	
	§	

DECLARATION OF JOSE URBAEZ COTTO

I, Jose Urbaez Cotto, declare as follows under penalty of perjury:

1. I am over twenty-one (21) years of age and a resident of Georgia. I am the Compliance Manager at TMX Finance Corporate Services, Inc., a corporate affiliate with knowledge of defendant TitleMax of Texas, Inc.’s (“TitleMax”) business. I have been employed with the company in a compliance role for approximately seven years.

2. By virtue of my position, I have knowledge of the facts set forth in this Declaration, either personally or through a review of TitleMax’s business records, made and kept in the regular course of TitleMax’s business by those whose regular job function it is to make and keep such records, and, therefore, I could testify competently to those facts if called upon to do so as a witness.

3. Attached as Exhibit 1 to this declaration is a true and correct redacted excerpt¹ of the Agreement for Recovery and Location Services that governed the relationship between TitleMax and defendant Plate Recon, LLC dba Plate Locate (“Plate Locate”) dated June 15, 2018. This agreement was in effect on, without limitation, July 25, 2019.

4. Attached as Exhibit 2 to this declaration is a true and correct redacted March 18, 2017 Application for Texas Title and/or Registration and Additional Lien Statements submitted to the Texas Department of Motor Vehicles by Shaunte Duncan (the “Borrower”).

5. TitleMax never instructed Plate Locate or defendant FCAR, LLC dba First Call Auto Recovery & Towing on how to perform any location or recovery services.

6. I declare under penalty of perjury that the foregoing facts are true and correct

Dated: January 7, 2021



JOSE URBAEZ COTTO

¹ The agreement has been redacted and excerpted to avoid public disclosure of sensitive and confidential terms that have no relevance to the Motion. The full agreement has been disclosed as confidential in this case.

**EXHIBIT 1 TO
DECLARATION OF JOSE URBAEZ COTTO**

TitleMax/Plate Locate Agreement for Recovery and Location Services

**EXHIBIT 2 TO
DECLARATION OF JOSE URBAEZ COTTO**

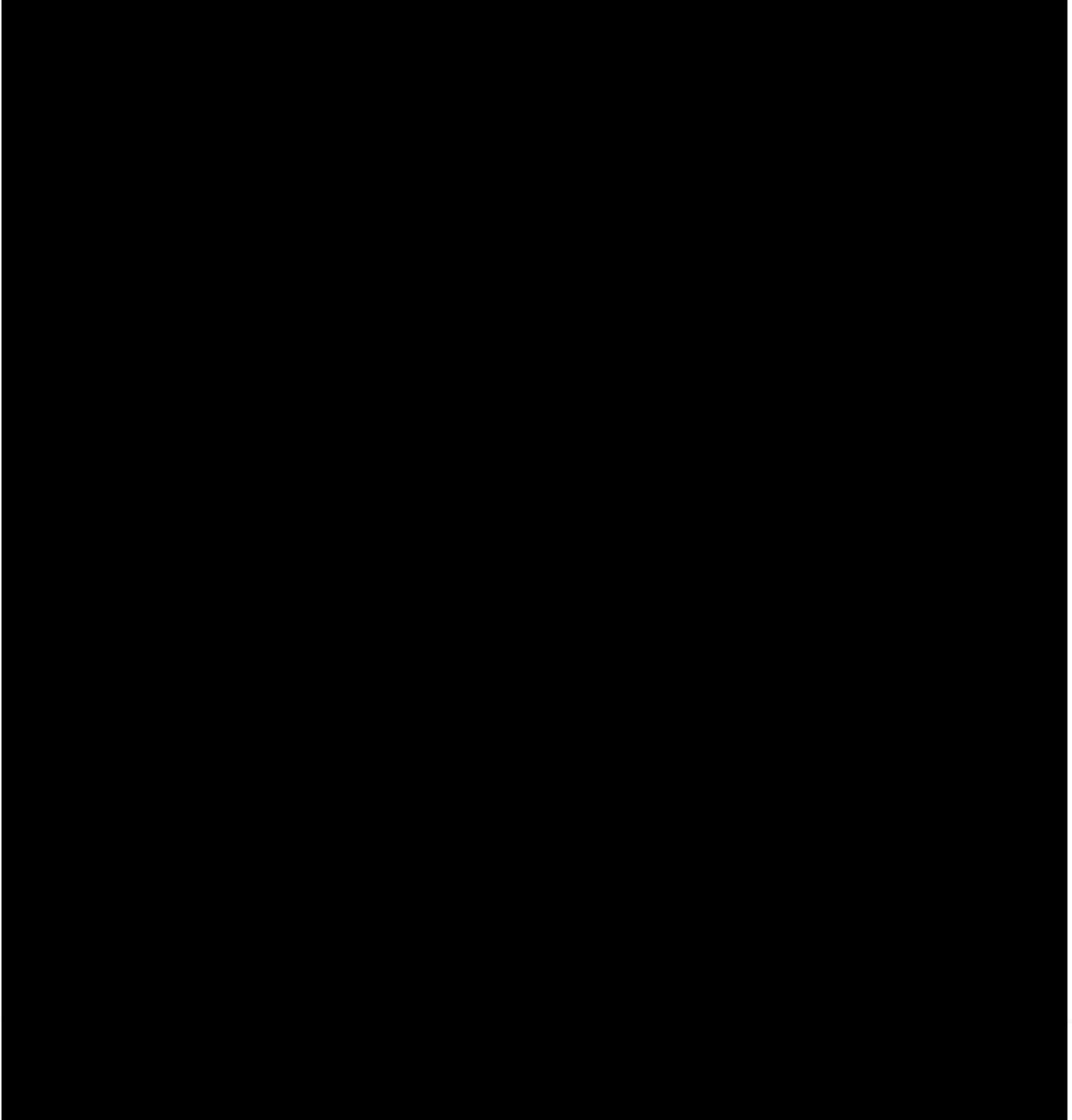
Application for Texas Title and/or Registration and Additional Lien Statements

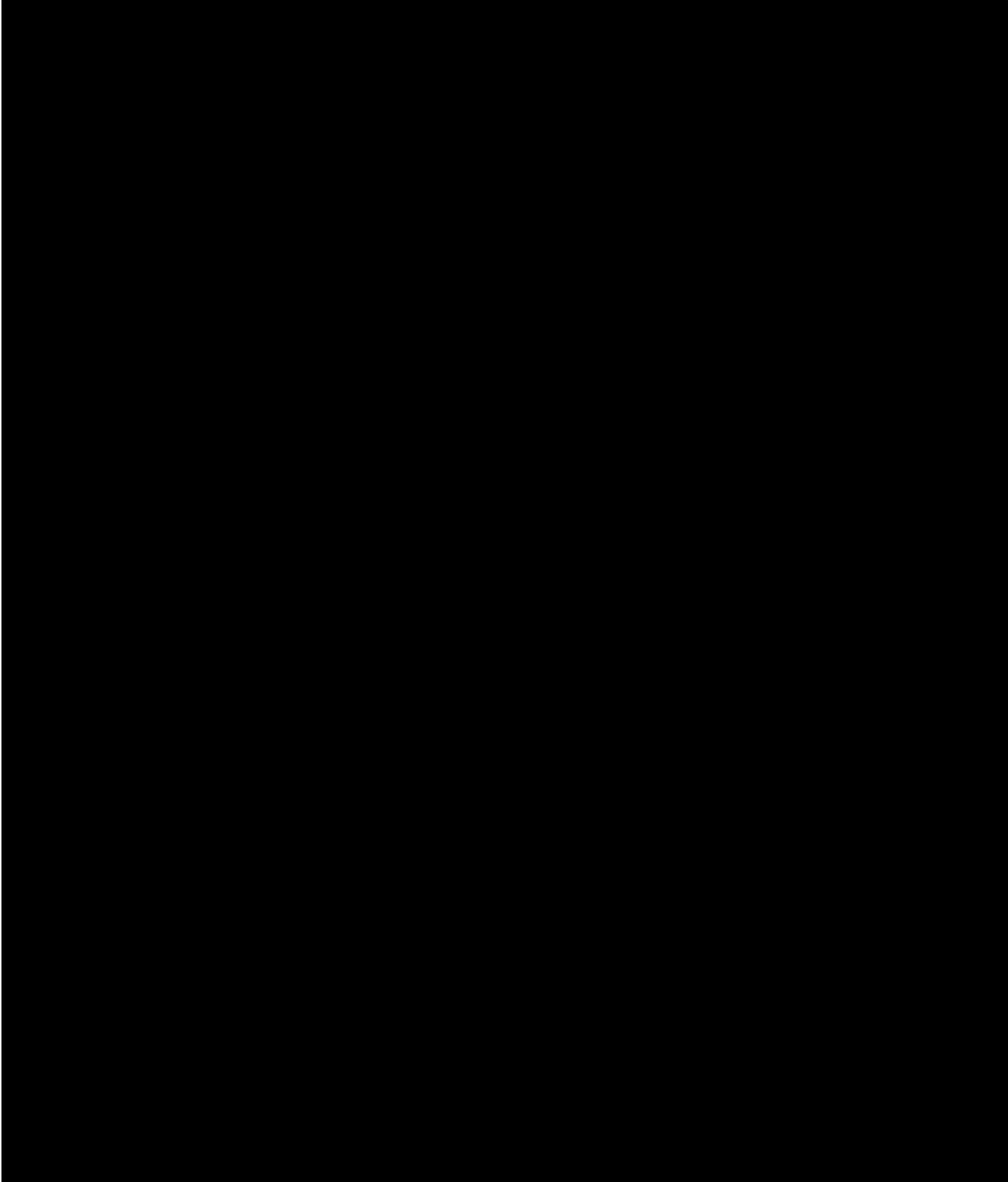
EXHIBIT 1

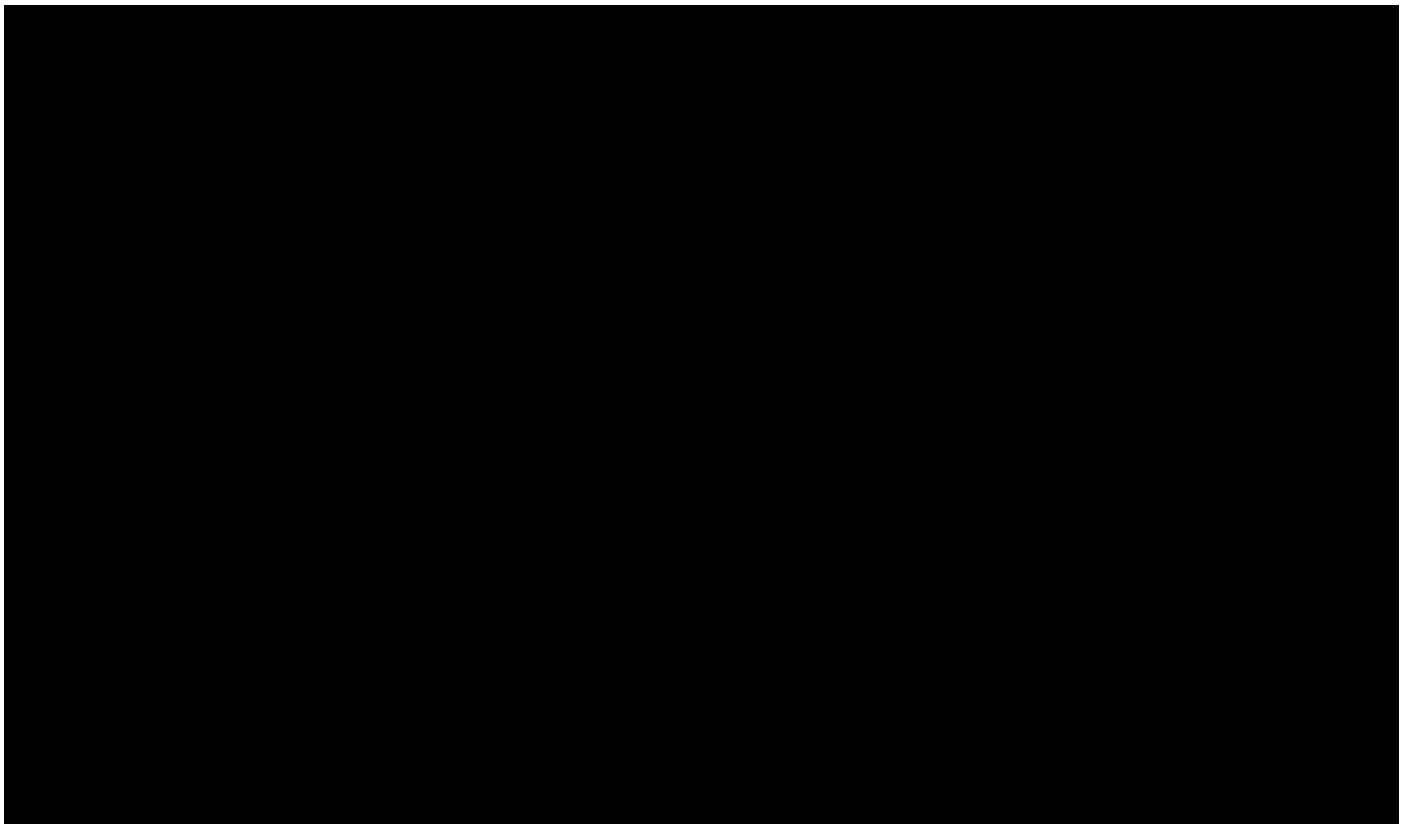
EXHIBIT 1

AGREEMENT FOR RECOVERY AND LOCATION SERVICES

THIS AGREEMENT FOR RECOVERY SERVICES (this “Agreement”) is entered into this 15th day of June, 2018 by and between the TitleMax of Georgia, Inc. (the “Company”), whose corporate office is located at 15 Bull Street, Suite 200, Savannah, GA 31401, and, Plate Recon, LLC dba Plate Locate, a limited liability company, whose principal office is located at 23820 Lenze Road, Spring, TX 77389 (“Vendor”). Vendor and Company may be referred to individually as “Party” or collectively as “Parties.”



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14. **Relationship of the Parties.** Company and Vendor each acknowledge that they are independent contractors. Nothing in this Agreement will create any partnership, joint venture, agency, franchise, sales representative, or employment relationship between the Parties. No Party will have the authority to make or accept any offers or representations on the other Party's behalf.



IN WITNESS WHEREOF, the Parties hereby have caused their duly authorized representatives to enter into this Agreement effective as of the date first stated above.

COMPANY:

TitleMax of Georgia, Inc.

By: 

Name: OTTO Bielss

Title: President

VENDOR:

Plate Recon, LLC dba Plate Locate

By: Jeremy Gonske

Name: Jeremy Gonske

Title: CEO

EXHIBIT 2

EXHIBIT 2

Application for Texas Title and/or Registration

Applying for (please check one): <input type="checkbox"/> Title & Registration <input type="checkbox"/> Title Only <input type="checkbox"/> Registration Purposes Only <input type="checkbox"/> Non-title Registration For a corrected title or registration, check reason: <input type="checkbox"/> Vehicle Description <input type="checkbox"/> Add/Remove Lien <input type="checkbox"/> Other:							TAX OFFICE USE ONLY County: _____ Doc #: _____ <input type="checkbox"/> SPV <input type="checkbox"/> Appraisal Value \$ _____	
2. Vehicle Identification Number 1FAHP24167G154751		2. Year 2007	3. Make FORD	4. Body Style 4D SEDAN	5. Model FIVE HUNDRE	6. Major Color Gray	7. Minor Color	
8. Texas License Plate No. 02R9668		9. Odometer Reading (no tenths) 0		10. This is the Actual Mileage unless the mileage is: <input type="checkbox"/> Not Actual <input type="checkbox"/> Exceeds Mechanical Limits <input type="checkbox"/> Exempt		11. Empty Weight <input type="checkbox"/> 12. Carrying Capacity (if any)		
13. Applicant Type <input type="checkbox"/> Individual <input type="checkbox"/> Business <input type="checkbox"/> Government <input type="checkbox"/> Trust <input type="checkbox"/> Non-Profit							14. Applicant Photo ID Number or FEIN/EIN 	
15. ID Type <input type="checkbox"/> U.S. Driver License/ID Card (Issued by: _____)				<input type="checkbox"/> NATO ID		<input type="checkbox"/> U.S. Dept. of State ID		
<input type="checkbox"/> Passport (Issued by: _____)				<input type="checkbox"/> U.S. Military ID		<input type="checkbox"/> U.S. Dept. of Homeland Security ID		
<input type="checkbox"/> U.S. Citizenship & Immigration Services(DO) ID				<input type="checkbox"/> Other Military Status of Forces Photo ID				
16. Applicant First Name (or Entity Name) 		Middle Name	Last Name		Suffix (if any)			
17. Additional Applicant First Name (if applicable)		Middle Name	Last Name		Suffix (if any)			
18. Applicant Mailing Address 4929 MELINDA DR		City FORT WORTH	State TX	Zip 76119	19. Owner County of Residence TARRANT			
20. Previous Owner Name (or Entity Name)		City	State	21. Dealer GDN (if applicable)	22. Unit No. (if applicable)			
23. Renewal Recipient First Name (or Entity Name) (if different)		Middle Name	Last Name		Suffix (if any)			
24. Renewal Notice Mailing Address (if different)		City	State		Zip			
25. Applicant Phone Number (optional)		26. Email (optional)			27. Registration Renewal eReminder <input type="checkbox"/> Yes (Provide Email in #26)			
28. Vehicle Location Address (if different)		City	State		Zip			
29. Multiple (Additional) Liens <input checked="" type="checkbox"/> Yes (Attach Form VTR-257)		30. Electronic Title Request <input type="checkbox"/> Yes (Cannot check #29)	31. Certified/eTitle Lienholder ID Number (if any)			32. First Lien Date (if any)		
33. First Lienholder Name (if any) IVY FUNDING COMPANY LLC		Mailing Address	City	State	Zip			
MOTOR VEHICLE TAX STATEMENT								
<input type="checkbox"/> I hold Motor Vehicle Retailer's (Rental) Permit No. _____ and will satisfy the minimum tax liability (V.A.T.S., Tax Code §152.046(d)) <input type="checkbox"/> I am a dealer or lessor and qualify to take the Fair Market Value Deduction (V.A.T.S., Tax Code, §152.002(c)). GDN or Lessor Number _____								
35. Trade-In (If any)		Year	Make	Vehicle Identification Number		36. Additional Trade-in(s) <input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> Yes (Complete)								
SALES AND USE TAX COMPUTATION								
<input type="checkbox"/> (a) Sales Price (\$ _____ rebate has been deducted) \$ _____ <input type="checkbox"/> \$90 New Resident Tax - (Previous State) _____ <input type="checkbox"/> (b) Less Trade-in Amount, described in Item 35 above \$ _____ <input type="checkbox"/> \$5 Even Trade Tax <input type="checkbox"/> (c) For Dealers/Lessors/Rental ONLY - Fair Market Value Deduction, described in Item 35 above \$ _____ <input type="checkbox"/> \$10 Gift Tax - Use Comptroller Form 14-317 <input type="checkbox"/> (d) Taxable Amount (Item a minus item b or item c) \$ _____ <input type="checkbox"/> \$65 Rebuilt Salvage Fee <input type="checkbox"/> (e) 6.25% Tax on Taxable Amount (Multiply Item d by .0625) \$ _____ <input type="checkbox"/> 2.5% Emissions Fee (Diesel Vehicles 1996 and Older > 14,000 lbs.) _____ <input type="checkbox"/> (f) Late Tax Payment Penalty <input type="checkbox"/> 5% or <input type="checkbox"/> 10% \$ _____ <input type="checkbox"/> 1% Emissions Fee (Diesel Vehicles 1997 and Newer > 14,000 lbs.) _____ <input type="checkbox"/> (g) Tax Paid to _____ (STATE) \$ _____ <input type="checkbox"/> Exemption claimed under the Motor Vehicle Sales and Use Tax Law because: _____ <input type="checkbox"/> (h) AMOUNT OF TAX AND PENALTY DUE (Item e plus Item f minus Item g) \$ _____ <input type="checkbox"/> \$28 or \$33 Application Fee for Texas Title (Contact your county tax assessor-collector for the correct fee.)								
CERTIFICATION - State law makes falsifying information a third degree felony								
I hereby certify all statements in this document are true and correct to the best of my knowledge and belief, and I am eligible for title and/or registration (as applicable).								
Signature(s) of Seller(s), Donor(s), or Trader(s) 		Printed Name (Same as Signature) 		Date 2017				
Signature(s) of Applicant/Owner 		Printed Name (Same as Signature) 		Date 03/18/2017				
Signature(s) of Additional Applicant(s)/Owners(s)		Printed Name (Same as Signature(s))		Date Page 1 of 2				

REDACTIONS APPLIED TO THIS DOCUMENT

TitleMax_000001



Additional Liens Statement

Information

This form must be submitted with the *Application for Texas Title and/or Registration* (Form 130-U) when more than one lien needs to be recorded on the Texas title.

More than one lien cannot be recorded in combination with an electronic lien. If more than one lien is recorded, a paper title will be issued to the first lienholder listed on the *Application for Texas Title and/or Registration* (Form 130-U).

Vehicle Information

Vehicle Identification Number	Year	Make	Body Style	Model
1FAHP24167G154751	2007	FORD	4D SEDAN	FIVE HUNDRED

Additional Lien Information

Second Lien	Lien Date	Lienholder Name	Certified Lienholder ID Number		
	03/18/2017	TitleMax of Texas, Inc. d/b/a TitleMax			
	Mailing Address	City	State	Zip	
Third Lien	220 E. SEMINARY DRIVE	FORT WORTH	Texas	76115	
	Mailing Address	City	State	Zip	

Certification – State law makes falsifying information a third degree felony

I certify the motor vehicle described above is subject to the these additional lien(s) in addition to the first lien recorded on the attached *Application for Texas Title and/or Registration* (Form 130-U).

Signature of Applicant/Owner

[REDACTED]

3-18-17

Signature of Additional Applicant/Owner (if any)

Printed Name (Same as Signature)

Date